

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 23, 2006
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-45, 48-84)*

Members: Henry P. Szymanski *(voting on items 1-85)*
Scott R. Winkler *(voting on items 1-76, 79-85)*
Catherine M. Doyle *(voting on items 1-85)*
Donald Jackson *(voting on items 1-45, 48-85)*

Alt. Board Members: Georgia M. Cameron *(voting on items 46, 47, 77-78, 85)*
Leni M. Siker *(66 recused)*

START TIME: 4:10 p.m.

End Time: 8:15 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	26765 Special Use	Dorothy Abdul-Haqq, Lessee Request to occupy the premises as a community living arrangement for 4 to 5 clients.	5557 W. Roosevelt Dr. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26903 Dimensional Variance	Houlihan's, Tom;Other Request to erect a second freestanding sign (on the same street frontage as an existing freestanding sign) on the premises.	6331 S. 13th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26682 Special Use	Ronald Ransaw, Lessee Request to add a car wash facility to the existing motor vehicle repair facility. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2940 W. Fond Du Lac Av. 15th Dist.
4	26941 Special Use	Shalanda Green, We R Family Inc.; Lessee Request to occupy the premises as a group home for 8 children 12yrs - 17 yrs of age (Down Syndrome, explosive disorder, bipolar, mid autism, and physical disabled). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	700 E. Meinecke Av. 3rd Dist.
5	26951 Use Variance	Milwaukee Campus Ministry, Beacon Center Ministry; Prospective Buyer Request to occupy a portion of the existing religious assembly as a sit-down restaurant (coffee shop). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3073 N. Farwell Av. 3rd Dist.
6	26939 Special Use	Shalanda Green, We R Family Inc.; Lessee Request to occupy the premises as a group home for 8 girls 12yrs - 17 yrs of age (mentally or non wheel chair medically disabled). Action: Adjourned Motion: This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	2045 N. Hubbard St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	26958 Special Use	Pamela McNealy, Lessee Request to occupy the premises as a group home for 8 adolescent males (abused & neglected) ages 12 - 17.	4521 N. Sherman Bl. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	26625 Use Variance	Adam Hampton, Lessee Request to occupy a portion of the premises as a general retail establishment (grocery store).	4201 W. Bonny Pl. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
9	26778 Special Use	Jose J. Hernandez, Prospective Buyer Request to add a motor vehicle sales facility, and continue occupying the premises as a repair facility.	2300 W. Lincoln Av. 8th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
10	27301 Other	Love to Care Child Care Center Inc. Wanda Hudson; Lessee Request to modify the hours of operation from 6:00AM - 6:00PM Monday-Friday to 5:30AM - Midnight Monday-Sunday of the existing day care center and reducing the number of children from 150 to 106 infant to 13yrs of age.	9171 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	27210 Special Use	Earl & Michele Turner, Prospective Buyer Request to occupy the premises as a day care center for 75 children infant to 12 yrs. of age, Monday - Friday 5:30 a.m. to 1:00 a.m.	3942 N. 76th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. of the district and will be rescheduled for the next available agenda.	
12	27268 Special Use	ABC Day Care, Jan Schmitt; Lessee Request to continue occupying the premises as a day care center reducing the number of children from 120 to 91 infant to 12yrs of age, Monday-Friday 6:30AM-11:30PM.	5920 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
13	27290 Special Use	Grisby's Child Development Center Property Owner Request to increase the hours of operation from 6:00AM - 12:30AM Monday-Friday to 6:00AM - 1:00AM Monday-Sunday for the existing day care center for 39 children infant to 12yrs of age.	5301 W. Burleigh St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 10, 2008.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	27293 Special Use	Grisby's Child Development Center Property Owner Request to increase the hours of operation from 6:00AM - 12:30AM Monday-Friday to 6:00AM - 1:00AM Monday-Sunday for the existing day care center for 40 children infant to 12yrs of age. Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	5455 W. Burleigh St. 10th Dist.
15	27267 Special Use	Milwaukee Mudd, dba Mountian Mudd;Lessee Request to occupy a portion of the parking lot as a drive through facility (coffee kiosk w/ drive through) without the minimum required 200ft. of queuing lane (proposes 80 ft.). Action: Adjourned Motion: This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	6901 W. Oklahoma Av. 11th Dist.
16	26767 Special Use	Daniel Woda & Robert Kulinski Property Owner Request to continue occupying the premises as a motor vehicle repair facility. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3634 W. Lincoln Av. 11th Dist.
17	27262 Special Use	Anthony A. LaCroix, Property Owner Request to continue occupying the premises as a motor vehicle sales facility (classic & used cars). Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	620 S. 6th St. 12th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	27284 Special Use	Anthony D'Acquisto, Property Owner Request to occupy a portion of the 2nd floor as a second-hand store (this is an expansion of the antique store on the 1st floor).	112 E. Mineral St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Don Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 11, 2010.</p>	
19	27303 Special Use	Positive Real Estate LLC., Property Owner Request to occupy the 1st floor as a general office (real estate).	1021 W. Grant St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

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20	27256 Special Use	Nara Colton, Property Owner Request to occupy the premises as a day care center for 49 children, infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to midnight (was previously approved for 25 children, but never obtained an occupancy permit).	2340 S. 6th St. A/K/A 2338 S 6th St 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all conditions of Decision #26020 are complied with.</p> <p>5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
21	27280 Dimensional Variance	Mary Ellen O'Donnell, Property Owner Request to construct an enclosed patio to the existing single-family residential dwelling without the minimum required rear setback.	3302 S. Illinois Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That this Variance is granted to run with the land.</p>	

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22	27296 Special Use	Mohammed Ali Bhimani N & K of Wis. LLC;Property Owner	1213 E. Howard Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station with a convenience store, operating from 5:00 a.m. to 10:00 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That there is no outdoor storage or display of products or merchandise 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That the applicant maintains compliance with signage requirements of 295-407-3 and 295-407-5. 13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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23	27269 Special Use	Tamerah Geter, Property Owner Request to continue occupying the premises as a day care center for 8 children, 3wks-12yrs, Monday-Friday 6:00AM - 12:30AM.	2854 N. 28th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That there be no signage associated with the day care facility. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
24	27276 Special Use	Shirley Quinn, Lessee Request to continue occupying the premises as a day care center for 24 children infant to 12 yrs. of age, Monday - Friday 6:00 a.m. - 12:00 a.m.	2812 W. Lisbon Av. A/K/A 2814 W. Lisbon 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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25	27274 Special Use	Lorese Howard, Property Owner Request to increase the hours of operation from 5:30 a.m. - 1:30 a.m. to 24 hrs. Sunday thru Sunday, and decrease the number of children from 50 to 25 infant to 12 yrs. of age to the existing day care center.	5235 N. Hopkins St. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 1, 2010.</p>	
26	27289 Special Use	Gwen L. Webb, Property Owner Request to continue occupying the premises as an adult family home for 4 female adults with developmental disabilities.	5760 N. 42nd St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

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27	27291 Special Use	Deborah & Andre Crowley The Esther House 2;Property Owner Request to continue occupying the premises as an adult family home for 4 individuals (developmentally disabled, functional impaired elderly, ambulatory, non-ambulatory, semi-ambulatory).	7057 N. 44th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
28	27305 Special Use	Avenue Car Wash Inc. d/b/a Octopus Car Wash;Lessee Request to continue occupying the premises as a car wash facility.	4519 N. Green Bay Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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29	27308 Special Use	Lawrence Orr, Property Owner Request to occupy the premises as a religious assembly hall and community center (after school tutoring).	4236 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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30	27025 Special Use	Bonnie Gray, Property Owner Request to occupy the premises as an adult family home for 3 individuals total (cognitively disabled adults).	4034 N. 18th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
31	27266 Special Use	Moses Zakhriants, Lessee Request to continue occupying the premises as an assembly hall (recreational facility/social hall for dinners, dances, receptions & other social gatherings).	5839 N. 94th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	27273 Use Variance	Kabao Yang, Property Owner Request to amend the hours of operation from 7:00 a.m. - 7:00 p.m. to 5:30 a.m. - 12:00 a.m. and continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, Monday - Friday. Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That there be no signage associated with the day care facility. 6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.	7805 W. Bender Av. 2nd Dist.
33	27281 Special Use	Only God Can Children's Academy Prospective Buyer Request to occupy the premises as day care center for 80 children per shift infant to 12yrs of age, Monday-Friday 6:00AM - Midnight & Saturday 6:00AM - 3:00PM. Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	7626 W. Florist Av. 2nd Dist.

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34	27299 Special Use	Tanya Coleman & Charles Jordan Prospective Buyer Request to occupy the premises as a 24hr day care center for 60 children infant to 12yrs of age, Monday-Saturday.	8301 W. Silver Spring Dr. A/K/A 8305 W Silver Spring Dr 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled on the next available agenda.	
35	27316 Special Use	Aurora Medical Group, Lessee Request to continue occupying the premises as a health clinic with modified hours of Monday through Friday, 7:00 a.m. to 10:00 p.m. and Saturday, 8:00 a.m. to 6:00 p.m (Previous hours were 8:30 a.m. to 9:30 p.m. on Monday, Tuesday, & Thursday and 8:30 a.m. to 6:00 p.m. on Wednesday and Friday.).	8200 W. Silver Spring Dr. A/K/A 8300 W Fond Du Lac Av 2nd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.	

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36	27317 Use Variance	American Stores Properties, Inc. Property Owner Request to continue occupying the premises as a general retail establishment with a drive through facility.	7511 W. Mill Rd. A/K/A 6330 N 76th St 2nd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code. 6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 7. That this Special Use and this Variance are granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	27250 Dimensional Variance	Ole Ratsimeuang, Property Owner Request to construct a detached garage on the premises without the minimum side street setback and north side setback.	2130 W. Mc Kinley Av. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	
38	27230 Dimensional Variance	Milwaukee LGBT Community Center Lessee Request to erect 6 projecting signs (mounted banners) on the premises that are over the total maximum allowed number of projecting signs and over the total maximum allowed sign area.	315 W. Court St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of five (5) years, commencing with the date hereof. 	

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39	27286 Special Use	Lee Anna Jarrett, Lessee Request to continue occupying the premises as a group home for 8 teens 12yrs to 17yrs of age.	3221 N. 12th St. A/K/A 3223 N 12th St 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
40	27320 Special Use	Art In Motion, Lessee Request to occupy the premises as a specialty/personal instruction school (dance studio/ artistic & technical education programs).	2437 N. Holton Av. A/K/A 2431 N Holton Av 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. Specifically, signage is limited to a maximum of 18 square feet.</p> <p>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	27178 Special Use	Pearline Williams, Property Owner Request to occupy the premises as an adult family home for 4 adults (elderly & disabled).	2834 N. 24th Pl. A/K/A 2836 N 24th Pl 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
42	27249 Use Variance	Shawna K. Whitehead, Prospective Buyer Request to continue occupying the premises as a 24hr day care center for 8 children infant to 12 yrs of age, Monday-Sunday.	4317 N. 38th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
43	27265 Dimensional Variance	Christ Kingdom Missionary Baptist Church, Rev. Robert Redd;Property Owner Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces.	3926 W. Burleigh St. A/K/A 3924 W Burleigh St 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	27191 Dimensional Variance	Osamah Alshelleh, Property Owner Request to construct a 2 car detached garage without the minimum required north side setback (garage to be constructed 1.5 ft. over the north property line).	2940 S. 35th St. A/K/A 2942 S 35th St 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That the petitioner and the north-abutting property owner record an easement with the Milwaukee County Register of Deeds granting permission for the garage to encroach onto the neighboring property and granting the petitioner the right to access the north-abutting property solely for the purpose of performing maintenance on the garage.</p> <p>5. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	27219 Special Use	Vince Ferrera, Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility (with an increase in the total number of display vehicles on the premises).	2727 S. 27th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>6. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	27059 Use Variance	Aldi Inc., Prospective Buyer Request to occupy the premises as general retail establishment (grocery store).	5301 N. Hopkins St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That landscaping and screening plans, which meet the requirements of s.295-405 of the Milwaukee Zoning Code, must be submitted to the Board of Zoning Appeals office and approved by the Zoning Administration Group.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
47	27036 Special Use	Michael Landry, Area Rental;Property Owner Request to add two additional pumps and continue occupying the premises as motor vehicle filling station in conjunction with the existing equipment rental facility on site.	8712 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 0 Nays, 0 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	27224 Dimensional Variance	Michael A. Evens Sr. & Emma Elisa Evans, Property Owner Request to erect a fence on the premises that is over the maximum allowed height along a side street.	6101 W. Spokane St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	
49	27023 Special Use	Leonard F. Dziubla & Donald R. Fnitz Property Owner Request to occupy the premises as a community living arrangement designed to accommodate up to 8 individuals (adults) that are experiencing mental health problems.	7229 W. Brentwood Av. A/K/A 7231 W Brentwood Av 9th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	27031 Special Use	Mr. Robert Harris, Lessee Request to occupy the premises as a motor vehicle repair facility and body shop.	2674 N. 53rd St. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	27200 Special Use	Alverno College, Attn. Jim Oppermann;Property Owner Request to construct an accessory parking structure for the adjacent college.	3400 S. 43rd St. A/K/A 3401 S 39th St 11th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	27070 Dimensional Variance	Maria F. & Norma A. Ramos Property Owner Request to allow an attached stairway addition in the rear portion of the residential dwelling that extends over the north side lot line and convert the existing single family dwelling into a two-family residential dwelling without the minimum required lot area per dwelling unit.	1412 S. 15th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	27251 Dimensional Variance	Nidia Soto, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces.	524 W. National Av. A/K/A 522 W National Av 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code (specifically, the wall sign must be limited to a maximum sign area of 25 square feet). 5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use and this Variance are granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	27215 Special Use	Randall Schlinke, Lessee Request to occupy the premises as a second-hand store (liquidation of surplus goods with outdoor storage).	5311 S. 9th St. 13th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
55	27182 Special Use	Milwaukee Mudd, d/b/a Mountain Mudd Espresso; Lessee Request to modify the location within the parking lot of the Board approved drive through facility (coffee kiosk w/ drive through) without the minimum required 200ft. of queuing lane.	835 W. Layton Av. A/K/A 841 W Layton Av 13th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That personnel on site actively monitor and discourage any queuing on site that negatively effects vehicular circulation. 5. That the applicant provide the Alderman of the district with a 24-hour contact phone number. 6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	27223 Dimensional Variance	Gregory & Donnalyn Habeck Prospective Buyer Request to divide the existing lot into two separate parcels and construct a single- family residential dwelling without the minimum required lot area, lot width, and front setback (result of lot split at 5752 S. 21st St.).	2034 W. Birchwood Av. A/K/A 5752 S 21st St 13th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	27222 Dimensional Variance	Kenneth & Shelby Fritsch, Property Owner Request to divide the existing lot into two separate parcels without the minimum required lot area (creates a separate lot at 2034 W. Birchwood).	5752 S. 21st St. 13th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	27111 Use Variance	Julio & Gonzalo Puma, Property Owner Request to convert a two-family residential dwelling into a Multi-family residential dwelling (3 units).	2900 S. 9th St. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	27081 Dimensional Variance	John Lemley, Property Owner Request to construct a multi-family residential dwelling without the primary entrance door on the front facade, and without the minimum required glazing on the primary and secondary street facades.	316 E. Stewart St. A/K/A 2010 S Kinnickinnic Av 14th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	27063 Special Use	Metroplex Auto LLC, Property Owner Request to continue occupying the premises as a motor vehicle sales facility and to add motor vehicle repair (discontinuing the car wash facility).	3302 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	27211 Special Use	Kathleen Herd, Property Owner Request to occupy the 2nd floor of the residential building on site as a rooming house for 4 individuals.	2133 N. 24th Pl. A/K/A 2131 N 24th Pl 15th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
62	26705 Special Use	Mrs. Cheryl Banks, Property Owner Request to occupy the premises as a community living arrangement for 7 residents (developmental disabled adults).	2466 N. Teutonia Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	26838 Special Use	Antonia A. Vann, Asha Family Services, Inc.; Lessee Request to occupy the premises as a social service facility.	4738 W. Lisbon Av. A/K/A 4734 W Lisbon Av 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
64	26960 Special Use	Charlotte Mayfield, Lessee Request to occupy the premises as a community based residential facility for 8 individuals (mental & developmental disabilities).	4633 N. 24th Pl. A/K/A 4635 N. 24th Pl. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
65	27154 Special Use	Euranna Odom, Property Owner Request to occupy the premise as a 24hr family day care home for 8 children infant to 12yrs of age, Monday - Friday.	5822 N. 35th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	27277 Use Variance	Christopher L. Tolbert & Kim D. Tolbert Prospective Buyer Request to occupy the premises as a religious assembly hall and social service facility. Action: Granted 5 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4001 W. Mill Rd. 1st Dist.
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That the applicant submits a site plan (including landscaping plans if need be) detailing the location and size of the expanded parking area on the premises.</p> <p>7. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	
67	26061 Special Use	Jimmy & Iola McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 males. Action: Adjourned Motion: Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	4355 N. 27th St. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	26060 Special Use	Jimmy McClendon, Property Owner Request to occupy the premises as a transitional living facility for 16 female clients.	4339 N. 27th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
69	26877 Use Variance	Thomas H. Wynn, Jr., Property Owner Request to occupy the premises as a contractor's yard.	5023 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	26997 Special Use	Mary Ann Dawson, Lessee Request to occupy the premises as a 24 hrs. day care center for a maximum of 36 children per shift infant to 12 yrs. of age, Monday - Friday.	2825 W. Atkinson Av. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. Specifically, banner signs are not permitted. Wall signs are limited to a maximum area of 18 square feet. Awning signs are limited to one Type 'A' awning sign with a maximum sign area of 10 square feet.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That a loading zone be obtained in front of the premises on West Atkinson Avenue for transporting children to and from the day care center.</p> <p>7. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	27135 Special Use	Bridgeman Foods II, Inc. Ulysses Bridgeman Jr.;Property Owner Request to continue to occupy the premise as a fast-food/carryout restaurant with a drive through facility.	6223 W. Capitol Dr. A/K/A 3972 N 63rd St 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	26917 Special Use	Austin Hill, Property Owner Request to occupy the premises as a transitional living facility for 8 clients and one live in counselor (recovering drug and alcohol abusers).	2658 N. Bremen St. 3rd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
73	27194 Appeal of an Order	Miriam M. Porush & Mardechai Porush Property Owner Request to appeal an order issued by the Department of Neighborhood Services determining that the premises is being utilized as a rooming house, that the third floor is being illegally occupied and that the premises is being used as a three-family residential dwelling without the proper Board approvals (this is a revocation of occupancy proceeding).	3285 N. Shepard Av. A/K/A 3287 N Shepard Av 3rd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
74	27005 Special Use	U.S. Bank National Association Corporate Real Estate Dept.;Property Owner Request to construct a mixed-use(residential, commercial, office) high-rise building, (41 to 45 stories) with a helicopter landing facility on site, that is over the maximum allowed floor area ratio permitted by code.	815 E. Michigan St. A/K/A 821 E Michigan St 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	27180 Use Variance	Lonnie Green, Property Owner Request to occupy the premises as a 24hr family day care center for 5 children per shift infant to 12yrs of age, Monday-Sunday. Action: Granted 2 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	2501 W. Mc Kinley Av. 4th Dist.
76	27173 Special Use	Southeastern Youth & Family Services, Inc., Property Owner Request to increase the hours of operation from 6:00AM - 6:00PM to 6:00AM - Midnight of the existing day care center for 102 children infant to 13 yrs. of age, Monday-Friday. Action: Adjourned from a prior hearing Motion: Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	7918 W. Capitol Dr. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	27164 Special Use	<p>Emma Allen-Green & Earnestine Allen-Miliken, Lessee</p> <p>Request to occupy the premises as a community living arrangement for a maximum of 8 adults (emotional & behavior disorders).</p> <p>Action: Granted 1 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	3763 N. 10th St. 6th Dist.
78	27096 Use Variance	<p>Asha Family Services, Inc., Antonia A. Vann; Lessee</p> <p>Request to occupy the premises as a transitional living facility for 7-9 women(women in transitioning from prison).</p> <p>Action: Adjourned</p> <p>Motion: This matter was adjourned at the request of the Ald. and will be rescheduled for the next available agenda.</p>	3406 N. 22nd St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	26956 Special Use	Tajiri Kwasi, Lessee Request to occupy the premises as a day care center for 35 children infant to 6 yrs. of age, Monday-Friday 6:00 AM - 3:30 PM. Action: Granted 1 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. 7. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	1654 W. Hopkins St. A/K/A 1652 W Hopkins St 6th Dist.
80	27186 Special Use	Euranna Odom, Property Owner Request to occupy the premises as an adult family home for 4 adults (elderly, mentally/physically disabled). Action: Adjourned Motion: This matter was adjourned at the request of the applicant.	3703 N. 15th St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
81	27213 Dimensional Variance	Gregory A. Moss, Property Owner Request to occupy the premises as fast-food/carry-out restaurant without the minimum required number of parking spaces.	600 W. Burleigh St. A/K/A 602 W Burleigh St 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code (Specifically, the proposed awning sign must be a type A awning sign. A type A awning sign is one with letters or symbols applied to or integral with an opaque, non-translucent material covering an awning structure. Such sign may be illuminated from a general building lighting source above the awning. Type B awning signs are not permitted).</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That the storefront windows must meet the glazing requirements of the Milwaukee Zoning Code.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>8. That the applicant withdrew the Variance request regarding the lack of the code required glazing.</p> <p>9. That this Special Use and this Variance are granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	26805 Special Use	Renee Prophet, Property Owner Request to occupy the premises as a religious assembly hall and day care center for 25 children infant to 12 yrs. of age, 6:00 a.m. to 6:00 p.m. Monday thru Friday.	4856 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That front elevation plans, that illustrate the restoration of the windows (glass), are submitted to the Zoning Administrative Group. 6. That the storefront windows are maintained in an attractive manner. 7. That the fenced outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That written documentation of the agreement to lease a portion of the adjacent property for outdoor play space is submitted to the Board of Zoning Appeals office and that the agreement remains in effect for the duration of the special use approval. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
83	27029 Appeal of an Order	Raymond F. Strehlow Request to appeal an order issued by the Department of Neighborhood Services determining that the landscaping and screening plans were not implemented per conditions of case No. 25664.	1801 W. Forest Home Av. 8th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
84	27225 Special Use	DCS Sanitation Management Inc., Lessee Request to occupy a portion of the 1st floor as a general office.	3642 W. Lapham St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
85	26629 Special Use	Alejandro Mora, Mora's Auto Sales Ltd.;Property Owner Request to occupy the premises as a motor vehicle sales and repair facility (tire installation).	3120 W. Burnham St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscape plan submitted to the Board of Zoning Appeals on November 28, 2005, is revised to include trees along the W. Burnham St. & S. 31st St frontage per s. 295-405 of the Milwaukee code of Ordinances, and that the revised landscape plan is submitted to the board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That up to 5 on-site parking spaces be made available for other tenants of the building. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That no changes are made to the building's façade unless elevation and façade plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That the petitioner has no vehicles parked on unpaved surfaces. 12. That All motor vehicle repair work and tire installation must occur inside the building. 13. That the applicant submit a revised plan of operation to the Board office detailing a motor vehicle test drive route that discourages the usage of surrounding residential streets. 14. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Winkler moved to approve the minutes of the January 26, 2006 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for March 16, 2006.

Board member Doyle moved to adjourn the meeting at 8:15 p.m.. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board